

Environmental Planning and Assessment (COVID-19 Development—Vehicle Sanitisation Stations) Order 2020

I, the Hon. Rob Stokes, MP, the Minister for Planning and Public Spaces, make the following Order under section 10.17 of the *Environmental Planning and Assessment Act 1979*.

I am satisfied this Order is necessary to protect the health, safety and welfare of members of the public during the COVID-19 pandemic as it facilitates the use of certain buildings or places as vehicle sanitisation stations to help mitigate against the potential spread of COVID-19. I have consulted with the Minister for Health and Medical Research in relation to the making of this Order.

1 Name of Order

This Order is the *Environmental Planning and Assessment (COVID-19 Development—Vehicle Sanitisation Stations) Order 2020*.

2 Commencement

This Order commences on the day it is published in the Gazette and remains in force for the prescribed period.

3 Definitions

(1) In this Order—

prescribed period has the meaning that it has in section 10.17 of the Act, **the Act** means the *Environmental Planning and Assessment Act 1979*.

Note. The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Order.

(2) A word or expression used in this Order has the same meaning as it has in the Standard Instrument set out in the *Standard Instrument (Local Environmental Plans) Order 2006*.

(3) Notes included in this Order do not form part of this Order.

4 Relationship with orders under the *Public Health Act 2010*

To the extent that this Order is inconsistent with an order under Part 2 of the *Public Health Act 2010*, the order under that Part prevails.

5 Development authorised by this Order

The development specified for this Order may be carried out without the need for any approval under the Act if it complies with the conditions specified for the development.

6 Vehicle sanitisation stations — use and temporary works

- (1) The use of a building or place as a vehicle sanitisation station is development specified for this Order.
- (2) The construction or installation of a temporary structure, and a temporary alteration or addition to a building or work for a purpose described in subclause (1) is development specified for this Order.
- (3) The conditions specified for the development are that the development must—
 - (a) be carried out:
 - (a) on land that can lawfully be used for the purpose of industry or a vehicle repair station, or
 - (b) in an existing warehouse or distribution centre, and
 - (b) be carried out by or on behalf of Transport for NSW, and
 - (c) have the consent in writing of the owner of the land unless the owner is Transport for NSW, and
 - (d) if the development is carried out on land that is the subject of an existing development consent— be carried out in accordance with all conditions of the consent other than a condition that:
 - (a) restricts the hours of work or operation,
 - (b) restricts the frequency or movement of vehicles,
 - (c) restricts the layout or location of development,
 - (d) relates to noise, or
 - (e) requires anything to be done before a building is occupied, and
 - (e) only be carried out between 7am and 7pm, and
 - (f) incorporate measures to:
 - (a) reduce noise, and
 - (b) ensure the use does not unreasonably interfere with the quiet enjoyment of neighbouring properties, and
 - (g) in the case of the temporary alteration or addition to a building or work—not remain in place for more than 4 months after the expiry of prescribed period.
- (4) In this clause—

vehicle sanitisation station means a building or place used for the purpose of sanitising:

- (a) an emergency services vehicle with the meaning of the *Road Transport (Vehicle Registration) Regulation 2017*,
- (b) fleet vehicles used by staff employed by:
 - i. the Government of NSW in the Transport Service,
 - ii. the Government of NSW in the Public Service,
 - iii. Sydney Trains, or
 - iv. NSW Trains,
- (c) taxis and hire vehicles within the meaning of the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016*, and
- (d) vehicles used for community transport services within the meaning of the *Passenger Transport Act 2014*.



The Hon. Rob Stokes, MP
Minister for Planning and Public Spaces